

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: SHEKITA JONES**

**CHAPTER 13**

**DEBTOR**

**CASE NO. 20-12505-JDW**

**OBJECTION TO NOTICE OF POSTPETITION MORTGAGE FEES,  
EXPENSES, AND CHARGES [DKT. 37]**

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**COMES NOW**, the above-named Debtor, by and through her attorney of record in this case, and objects to the Notice of Postpetition Mortgage Fees, Expenses, and Charges (Dkt. # 37) filed by Shapiro & Brown, LLC, as servicer for U.S. Bank National Association, successor in interest to Bank of America, National Association, successor by merger to LaSalle Bank National Association as trustee for GSAMP Trust 2007-NC1 Mortgage Pass-Through Certificates, Series 2007-NC1 on behalf of PHH Mortgage Mortgage Service(“Creditor”), and in support hereof respectfully shows unto the Court the following:

1. Debtor’s confirmed plan provides for ongoing mortgage payments and arrears to be paid to Creditor through the plan.
2. The Creditor has filed a proof of claim (Clm. 4), in this case.
3. Creditor filed a Notice of Postpetition Mortgage Fees, Expenses, and Charges on October 28, 2020 (Dkt. #37). The notice indicates Creditor charged the Debtor’s mortgage account a total of \$1,350.00, which includes \$700.00 for Bankruptcy/Proof of claim fees and \$650.00 for plan review.
4. The Debtor disputes that the fees were reasonable and actually incurred and/or that the services were actually performed. Additionally, they are

over and above what this Court has typically allowed. The Debtor requests the Court enter an order disallowing the fees, expenses, and/or charges.

5. Other grounds to be shown at the hearing.

**WHEREFORE**, the Debtor respectfully requests that this Court enter an order disallowing the fees, expenses and charges; the Debtor be awarded attorney fees for having to file this Objection, and such other and further relief as the Court may deem proper.

This the 4<sup>th</sup> day of November, 2020.

/s/Robert Lomenick  
**KAREN B. SCHNELLER, MSB 6558**  
**ROBERT H. LOMENICK, JR., MSB 104186**  
**SCHNELLER & LOMENICK, P.A.**  
**126 NORTH SPRING STREET**  
**POST OFFICE BOX 417**  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT MISSISSIPPI**

**IN RE: SHEKITA JONES**

**CHAPTER 13**

**DEBTOR**

**CASE NO. 20-12505-JDW**

**NOTICE OF OBJECTION TO CLAIM**

**YOU ARE HEREBY NOTIFIED** that an objection to your claim has been filed in the above referenced bankruptcy case. Your claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your claim, a written response to the attached objection to claim must be filed with:

Clerk, U.S. Bankruptcy Court  
Northern District of Mississippi  
703 Hwy 145 North  
Aberdeen, MS 39730

and a copy must be served on the undersigned Debtor(s) attorney and the Chapter 13 trustee on or before thirty (30) days from the date of this notice. In the event a written response is filed, the court will notify you of the date, time and place of the hearing thereon.

DATED: November 4, 2020

CHAPTER 13 STANDING TRUSTEE:

Ms. Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, MS 39211

/s/Robert H. Lomenick  
**KAREN B. SCHNELLER, MSB 6558**  
**ROBERT H. LOMENICK, JR., MSB 104186**  
**SCHNELLER & LOMENICK, P.A.**  
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[robert@northmsbankruptcy.com](mailto:robert@northmsbankruptcy.com)

**CERTIFICATE OF SERVICE**

I, Karen B. Schneller/Robert H. Lomenick, attorney for the Debtor, hereby certify that a copy of the foregoing Notice of Objection to Claim and Objection to Claim has this day been served upon the Chapter 13 Trustee, the U.S. Trustee and the affected Creditor, either by electronic means or by United States Mail.

Shapiro & Brown, LLC  
Attn: Eric Miller, Esq.  
1080 River Oaks Drive, Suite B-202  
Flowood, MS 39232  
ATTORNEY FOR CREDITOR

US Bank National Association  
c/o PHH Mortgage  
Attn: Bankruptcy Dept.  
P.O. Box 24605  
West Palm Beach, FL 33416-4605

Ms. Locke D. Barkley, via ECF

Office of U.S. Trustee, via ECF

This the 4<sup>th</sup> Day of November, 2020.

/s/Robert H. Lomenick  
KAREN B. SCHNELLER  
ROBERT H. LOMENICK